

**Village of Brewster
Planning Board Meeting Minutes
February 16, 2021**

BOARD MEMBERS:

Rick Lowell, Chairman
Janet Ward, Vice Chairperson
David Kulo
Marti Foster
Katy New

PROFESSIONAL ADVISORS:

Greg Folchetti, Attorney - Costello & Folchetti
Todd Atkinson, PE – J.R. Folchetti & Associates

Chairman Lowell led the Board in the Pledge of Allegiance, whereupon the proceedings were called to order at 7:30pm.

REGULAR MEETING:

Chairman Lowell made a motion to open the regular meeting. This was seconded by Boardmember Kulo and passed unanimously.

EASTVIEW AVENUE:

Chris DeBellis of DeBellis Construction appeared before the Board representing this application.

Mr. DeBellis said I purchased this property from the Marini Estate and it is a piece of vacant land as well as the residence at 22 Eastview Ave. He said Mr. Marini proposed years ago to build a 5-lot subdivision with a much bigger road and I do not see that as feasible today so we came up with the easiest, most cost-effective way to do this project. He said we propose a 2-lot subdivision and would like the Board's input with this first version.

Chairman Lowell said you are considering at most two houses in this area.? Mr. DeBellis said yes, the total acreage is about 3-1/2 acres so we are well within the allowable zoning. He said they will be four-bedroom houses and there is direct access to the bike path.

Boardmember Foster said what is the height of the houses; how many stories. Mr. DeBellis said they are two stories above ground with a full basement that would be below ground. He said the property is very sloped so we would face the basement slopes away so there would be a walkout basement. He said the height would be about 24 ft., no higher than George Gaspar's house. Boardmember Foster asked about the slope. Mr. Atkinson said they have a 3 to 1 slope and everything on the plans is sloped and graded appropriately. Mr. Atkinson said what I think we need to do tonight is to find out if Mr. DeBellis is going in the right direction as far as what the Board would be looking for. If the Board is in agreement, he said, Mr. DeBellis can then come back with a Stormwater Prevention Plan, all the design requirements completed, and start the

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SEQRA process. He said this application will require a Preliminary Subdivision Approval and Final Subdivision Approval.

Chairman Lowell said is the slope shown on the drawings a completed work slope; does it require any altering of the existing slope in order to get the 10 or 15% slope in. Mr. Atkinson said it is a combination of both: they will be cutting where the house locations are and moving that up to the top of the hill to create the driveways and one side of the cul-de-sac that needs to be brought up to grade some.

Boardmember Kulo said I was on the Board when the previous subdivision was before the Board and what we ended up doing was deciding that the conditions for approval would include a sidewalk and a retention pond. Mr. Atkinson said they are showing a bioretention area for each of the houses, which would take away the driveway and roof water. There will also be a bioretention area further behind lot 2, which will take the flow from the cul-de-sac.

Boardmember Foster said what is the purpose of a bioretention area. Mr. Atkinson said that is to take the drainage off the actual cul-de-sac from the impervious surface that is created. He said it is required by the DEP (Department of Environmental Protection) as well as the DEC (Department of Environmental Control). Mr. Atkinson said due to the location of this property there is no way to access the existing Village drainage system so the applicant will control it onsite and put it into the ground to recharge the ground with that water.

Boardmember Lowell said this is going to be within 500 ft. of the bike trail; will this have to be referred to the County. Mr. Atkinson said it will have to go to County no matter what because it's within 500 ft. of the actual border to the Town. He said I have 19 comments and I spoke with their engineer about them this evening. He said the engineer will submit a Long EAF (Environmental Action Form), we will review it, and if the Board is content with the layout the engineer will be informed to go to full design in order to bring back a completed set of plans to be reviewed.

The EAF was discussed and it was determined for the water and sewage requirement the Village Board had previously allocated amounts for the old subdivision and this one has less bedrooms so the project is under capacity.

The road that is to be created was discussed and Chairman Lowell said is the road going to be up to Village standard so will it be the width of Eastview to allow parking on each side as well as traffic. Mr. Atkinson said right now it is being shown as two travel ways 10 ft. each with a curb on each side and a sidewalk on one. He said it would not be an area where parking would be available on the side of the road and I am not sure it is something that is necessary.

Mr. Atkinson said there is an issue as you move onto lot 2 where there is a forced main so there will be an additional easement requirement coming down from the pump

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station down below and taking into account that forced main. He said he discussed with the engineer to alter the current easement so the meets and bounds were re-written so that it is not a major change. He said it would be good to have legal documentation provided as to the Eastview extension toward the cul-de-sac as it is a Village paper road currently and that should be verified. Mr. Atkinson said the biggest part during SEQRA is that the Village Board will be an interested agency and during this process Mr. DeBellis will need to ask the Board of Trustees if they want to take over the cul-de-sac and make it a Village roadway. He said all costs for that would be born by the developer, but once it is completed and accepted by the Village Engineer then the Village can determine whether they will take it over or not.

Chairman Lowell said this is all very preliminary and the EAF will be redone as well and updated. Mr. Atkinson said I did not receive it but will review it with the engineer prior to the next submission. Chairman Lowell asked about the endangered bat issue. Mr. Atkinson said when you fill out the EAF it tells you if you are in an area where this could be an issue. Boardmember Ward said yes, it is there. Mr. Atkinson said you would not be able to cut trees down after March 31 until November 1. Mr. DeBellis said the one thing we would like to do is go in and clean up the site as there are a lot of dead trees, garbage, and such.

Boardmember Kulo said are the power utilities going to be above or below ground. Mr. DeBellis said they will be underground as I have been in touch with NYSEG already and filled out some preliminary paperwork to bring in natural gas. Boardmember Kulo said street lighting is pretty much universal on the streets of the Village; is that something you have considered. Mr. DeBellis said I have not considered it, but I like the idea of it. Mr. Atkinson said I believe that one of the things that may help to determine that is whether or not the Village decides to accept the dedication of the cul-de-sac area.

Boardmember Ward said on page 3 you have an existing construction easement and then there is the drainage easement; what are the width of those or is that what Todd is asking to be drawn more clearly. Mr. Atkinson said those are established easements already that were done as part of the sewer collection system. He said it says construction easement, but they are actually a full-blown sewer easement. They are going to potentially lock out that whole corner, he said, where it says Prospect Street Extension; that property between the property lines and the actual easement is now going to be part of an easement because the forced main needs to be part of the easement that comes back up to the manhole. This will render lot 2 unsubdividable based on the easements, the bioretention area, and the steepness of the slopes, he said.

Boardmember Ward said are you saying the small piece between the existing lot and the cul-de-sac someone could build on. Mr. Atkinson said it is a buildable lot based on minimum size. Mr. DeBellis said that lot was supposed to have been part of the purchase of 22 Eastview and the vacant land, but there is a partner involved in that piece and he would not sell it to me. Boardmember Ward said it is really steep and tight

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there so I am not sure that is a good idea to build there. She said I really like the plan of the subdivision and is really well thought out. She said the road needs to be designed to Village standards and the lighting like Boardmember Kulo said should be there.

Boardmember Ward asked if the DEP would need to have input on this like they did with the library. Mr. Atkinson said the only reason DEP is involved here is because there is more than 5000 sq. ft. of impervious surface, but since they are under two acres of disturbance, they will not review the Stormwater Pollution Prevention Plan.

Boardmember Ward said page 5, question C in the middle: do existing lines serve the project site; it is not answered so I am guessing it is just an oversight. My guess is the answer should be yes or you will make the connection to it. Mr. DeBellis said yes.

Boardmember Ward said is it really just an acre of disturbance. Mr. Atkinson said that's correct, it is just over an acre of disturbance; 1.26 acres. On page 9 of the EAF it is showing 1.09 change. Mr. Atkinson said that has to be modified.

The minutes of the January 19, 2021 meeting held over the March meeting.

NEW BUSINESS:

There was no new business to discuss.

Boardmember Ward made a Motion to adjourn the meeting, seconded by Boardmember Foster, and passed all in favor.